

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

Joseph M. LeDoux

v.

Civil No. 06-cv-268-PB

Superintendent, Rockingham County
House of Corrections, et al.

O R D E R

Pro se plaintiff Joseph M. LeDoux has filed a complaint and amendment thereto, pursuant to 42 U.S.C. § 1983, alleging that defendants have violated his rights under the First and Fourteenth Amendments to the United States Constitution (document nos. 1 and 6). Seeking injunctive and monetary relief, he brings this action against the Rockingham County House of Corrections ("RCHOC") and the following RCHOC employees: Superintendent Albert Wright; Major Blomeke; Captain Steven Church; Sergeant Horne; corrections officers Valencia, Sparks, Haywood and Trainor; and an unnamed corrections officer.

The complaint is before me for preliminary review to determine whether, among other things, it states a claim upon which relief may be granted. See 28 U.S.C. § 1915A; U.S. District Court for the District of New Hampshire Local Rule ("LR") 4.3(d)(2).

For the reasons stated in the report and recommendation issued simultaneously herewith, I find that LeDoux has alleged the following claims: (1) First and Fourteenth Amendment denial of access to the courts claims against Wright, Blomeke and Church; (2) Fourteenth Amendment due process claims against Haywood, Trainor, Horne, Wright, Blomeke and Church; and (3) First and Fourteenth Amendment retaliation claims against Haywood, Trainor, Wright and an unnamed corrections officer. I recommend dismissal of all remaining claims.

With the exception of the unnamed corrections officer, LeDoux has filed all the necessary summons forms, therefore, I order the complaint to be served on those defendants. The Clerk's office is directed to issue the necessary summons forms and forward to the United States Marshal for the District of New Hampshire (the "U.S. Marshal's office") the summonses and copies of the complaint and amended complaint (document nos. 1 and 6), the report and recommendation issued simultaneously with this order, and this order. Upon receipt of the necessary documentation, the U.S. Marshal's office shall effect service upon defendants. See Fed. R. Civ. P. 4(c)(2).

Defendants are instructed to answer or otherwise plead

within twenty days of service. See Fed. R. Civ. P. 12(a)(1)(A).

LeDoux is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on the defendants by delivering or mailing the materials to them or their attorney(s), pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: November 30, 2006

cc: Joseph M. LeDoux, pro se